

REMARKS

Claims 1 and 38-66 remain pending in this application.

Initially, the applicants acknowledge, with appreciation, the indication that claims 1 and 38-66 would be allowable pending the filing of a terminal disclaimer.

Claims 1 and 38-66 have been rejected based on the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-13, 15-17, 20, 23-35 and 37 of U.S. Patent No. 6,779,030.

While not concurring with the rejection, but to expedite prosecution, a terminal disclaimer has been filed concurrently with this paper to overcome the rejection. Accordingly, withdrawal of the rejection of claims 1 and 38-66 based on obviousness-type double patenting is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the applicants respectfully request the timely allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, please feel free to call the undersigned attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: September 20, 2006

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